

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
Luis Charles, *on behalf of himself and others  
similarly situated in the proposed FLSA  
Collective Action,*

*Plaintiffs,*

*-against-*

Chloe Construction LLC, and Jacky Piamenta,

*Defendants.*  
-----X

Case No.: 22-cv-08596-KPF

**NOTICE OF ACCEPTANCE  
OF OFFER OF JUDGMENT  
PURSUANT TO  
FED.R.CIV.P. 68**

WHEREAS, pursuant Rule 68 of the Federal Rules of Civil Procedure (“Fed.R.Civ.P.”), Defendants Chloe Construction LLC, and Jacky Piamenta (collectively, the “Defendants”), having offered to allow Plaintiff Luis Charles (together, the “Plaintiff”) to take a judgment against the Defendants in this action in the total sum of Eight Thousand Five Hundred Dollars and Zero Cents (\$8,500.00) (the “Judgment Amount”), payable as follows:

1. A payment in the amount of Eight Thousand Five Hundred Dollars and Zero Cents (\$8,500.00) payable within ten (10) days of the entry of a Judgment;

WHEREAS, in the event of Defendants’ failure to make any payment when due as set forth above, the breach shall result in accelerated payment of the Judgment Amount, together with all costs and attorneys’ fees incurred by Plaintiff in connection with any efforts to enforce any Judgment, less any payments made by Defendants as set forth herein. Defendants acknowledge and agree that this calls for a judgment in a greater amount than the initial judgment amount as a penalty for an uncured default.

WHEREAS, the Judgment Amount is inclusive of reasonable attorney’s fees, costs, and expenses, for Plaintiff’s claims against Defendants arising out, alleged in, or related to, the facts and transactions alleged in the above-captioned action.

WHEREAS, a true and correct copy of the Offer of Judgment is annexed hereto as **Exhibit**

“A”;

NOTICE IS HEREBY GIVEN that Plaintiff’s counsel hereby confirms acceptance of Defendants’ Offer of Judgment.

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: 

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*Attorneys for Plaintiff*

Via ECF: All Counsel

Encl.